

Policy Acute Care – 3 (AC-3): Exemption from Plan Provisions for Certain Academic Medical Center Teaching Hospital Projects

Policy AC-3 allows Academic Medical Center Teaching Hospitals to request additional capacity (*beds, operating rooms, or services*) and equipment, to address educational and academic research needs, even if the State Medical Facilities Plan indicates “no need determination” based on the projected need for the general population.

It is also important to note that the “...exemption from Plan provisions...” does not exempt such projects from review by the Certificate of Need Section.

As many of you are aware, there have been differences of opinion about the use of Policy AC-3 over the years.

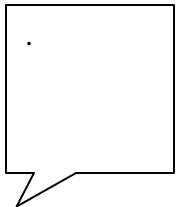
As work began on the Proposed 2012 State Medical Facilities Plan, the North Carolina State Health Coordinating Council received two competing “Petitions” to repeal, revise or amend Policy AC-3. Because the policy primarily relates to “Hospitals,” the North Carolina Hospital Association offered work with representatives from the petitioners to:

“...propose a revised policy that supports the unique missions of Academic Medical Center [Teaching Hospitals], but...also limit[s the scope] to uniquely ‘academic’ projects....”

I am pleased to report that “compromise language” was developed this summer, with agreement by parties representing both sides of this issue. Staff in our Division reviewed the initial draft (*for compliance with existing Statutes and Rules*) and suggested additional edits to clarify and refine the proposed language. Our edits were accepted by all parties and referred to the North Carolina State Health Coordinating Council, which accepted the “consensus language” on September 28th. The “refined Policy AC-3” has been incorporated into recommendations for the final 2012 State Medical Facilities Plan.

Most of the existing language was retained, but additional provisions were added to strengthen the focus on “...unique academic medical needs.”

- The new language requires additional documentation of efforts to work collaboratively with other providers located within 20 miles of the Academic Medical Center Teaching Hospitals.
- The new language requires additional documentation regarding the feasibility of using similar assets that are under the control of the Academic Medical Center Teaching Hospital or its associated professional school to meet the unique teaching or research needs.



- The new language requires that data on any new Policy AC-3 assets be available for "...informational purposes..." but not be used in determining additional needs for the general public.
- The new language defines the differences between "Policy AC-3 requests" and "requests that should be pursued as 'adjusted need determinations'" through existing procedures in the State Medical Facilities Plan.
- And finally, the new language specifies that an asset originally developed or acquired pursuant to Policy AC-3 must be relinquished if it is no longer being used for research and/or teaching purposes.

The Division of Health Services Regulation appreciates the cooperative efforts that led to the compromise language. We believe the new language will resolve long-standing concerns regarding Policy AC-3.